



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,124	07/18/2003	Martin F. Bachmann	1700.0340001/BJD/SJE	3313
26111 7590 01/26/2007 STERNE, KESSLER, GOLDSTEIN & FOX PLLC 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER BOESEN, AGNIESZKA	
			ART UNIT	PAPER NUMBER
			1648	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	01/26/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 01/26/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

fadkt@skgf.com



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

10/622 124

EXAMINER

ART UNIT	PAPER
----------	-------

20070103

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The amendment filed on October 18, 2006 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because the claims recite non-elected subject matter. In Response on May 4, 2006 Applicant elected species of SEQ ID NO: 4 and SEQ ID NO: 65 without traverse. Consequently the species of SEQ ID NO: 4 and SEQ ID NO: 65 were examined on the merits in Office action of July 20, 2006. In response to the Office action of July 20, 2006 Applicant amended the claims to introduce the non-elected species in the generic claim 1, such as SEQ ID NO: 119. If Applicant amends the claims to recite the originally elected subject matter, claims 1-4, 6-8, 11-15, 19, 21-29, 31-34, 63—66, 68-70, 72, 73, and 75-89 will be examined.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Agnesaloe Boesen
1/4/07

Hay B. Chen 1/4/07